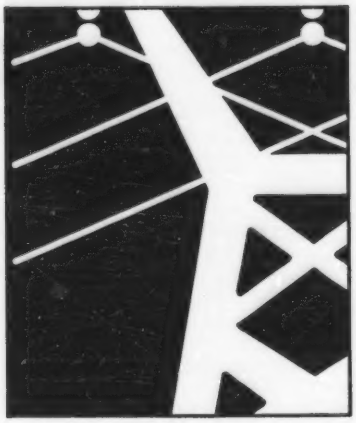
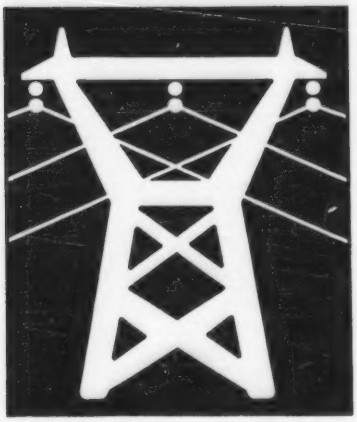
Guide 17-1

Electric Transmission Lines and the Regulatory Process in Alberta





Alberta Energy and Utilities Board

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company wants to
an electric trans-
on line (otherwise
as a power line)
your property or
your community.

o regulates this kind
oject? How can you
a say? Where can
get information?

The EUB and its role in regulating transmission lines and projects

Alberta has been restructuring its electric industry. Two key organizations for transmission issues are

- the transmission administrator (TA), and
- the EUB.

The TA administers the province-wide system, providing buyers and sellers with non-discriminatory access to the market, and ensuring that the transmission system is reliable and operated efficiently. The TA is accountable for overall planning of the transmission system. Other information about the TA can be obtained by contacting their web site (see "Useful Web Sites" on page 11).

This brochure answers the most common questions the EUB receives from the public. It will provide you, the public, with information on

- what the EUB expects from companies,
- how the EUB evaluates and processes electric transmission line applications,
- how to approach and communicate with a company about a power line project,
- how you can find out about public hearings and, if need be, participate in one, and
- where to get more information.

Useful information sources are listed at the end of this publication. However, if you need more information or assistance with a specific utility project, please contact us at

Alberta Energy and Utilities Board
Utilities Branch
640 – 5 Avenue SW
Calgary AB T2P 3G4
Telephone: (403) 297-3590
Fax: (403) 297-6104

The mission of the Alberta Energy and Utilities Board (EUB) is to ensure that the discovery, development, and delivery of Alberta's resources take place in a manner that is fair, responsible, and in the public interest. These include the entire spectrum of resource development related to oil, natural gas, oil sands, coal, hydro and electric energy, pipelines, and electric transmission lines.

The EUB's Utilities Branch is responsible for regulating investor-owned natural gas, electric, and water utilities to ensure that customers receive safe and reliable service. In addition, the branch ensures that power lines are built, operated, and decommissioned in an economic, efficient, and environmentally responsible way.

As this province grows, more electric energy is needed to meet rising demand. To meet this need, companies must either build new transmission lines or upgrade existing lines to connect power plants to towns, cities, and industries throughout the province. Transmission line projects usually include the power line and one or more electrical substations.

The EUB requires companies that want to build a major electric transmission line—usually more than 60 kilovolts (kV) and above—to submit an application and obtain EUB approval before construction may take place. Our application process accommodates the interests of landowners and others who may be directly affected by projects, while also taking the broader public interest into account.

This brochure discusses the roles of the landowner, the company, and the EUB as a power line application moves through the regulatory process.

APPLICATION PROCESS

STEP 1: Early Planning and Research

Before submitting a specific project application, the company proposing a power line development must carefully evaluate and identify potential power line routes. The company looks at

- land ownership,
- land zoning,
- existing development such as towns, cities, and industrial sites,
- agricultural developments of all types,
- wildlife, parks and recreation, and
- archaeological and historical resources.

The early planning at this stage involves only the company. The public's involvement usually begins when the company initiates its public consultation program. The EUB becomes involved when it receives the company's application.

STEP 2: Public Consultation

As part of preparing a complete application, the company conducts effective public consultation along the route of the proposed project.

General Information Requirements

EUB regulations require companies proposing developments to provide comprehensive information to potentially affected parties (e.g., trappers, cottage owners, and renters) so that they fully understand what is being proposed for land they own or have interest in. The EUB encourages meaningful discussion between the company and affected parties at this early planning stage as this often helps minimize or avoid potential conflicts. Sometimes early dialogue enables the company to resolve its issues with the public by making adjustments to the project and thereby avoid a costly hearing.

A company should provide the following information:

- the route for the power line project, as well as any alternative routes
- construction schedules and details
- the amount of surface area needed for the right-of-way and construction plans for access road(s)
- reclamation plans for the right-of-way
- safety precautions for nearby residents
- inspection plans for the completed power line
- the expected life span of the line
- what can be done to minimize visual impacts of the line for residents
- what impacts residents can expect on land use, agriculture, etc.

If you cannot contact or identify the operator or feel that the concern cannot be resolved directly with the operator, please contact the EUB Utilities Branch in Calgary.

Land Compensation and Negotiation

The EUB does not deal with land compensation issues. However, before a transmission line can be built, the company must secure easement, rights-of-way, or agreements from owners or administrators of affected lands. Where affected lands are privately owned, the company gets the right-of-way by negotiating agreements directly with appropriate landowners. If agreement cannot be reached, the matter must be filed with the Surface Rights Board for final resolution (see page 11 for contact information).

Landowners are encouraged to negotiate with the company at an early stage. If the EUB issues a permit approving the project and easements have not been obtained through mutual agreement, the company may acquire right-of-entry through the Surface Rights Board's arbitration process.

STEP 3: Submitting the Application

Public input is one of several factors considered when the company identifies the best route for the transmission line. When a company determines that its application meets all requirements, the company submits it to the EUB for approval to construct and operate the line. During the EUB review, staff may request additional information from the company on issues that the EUB believes need more work. The EUB ultimately decides when the application is complete.

STEP 4: Public Notification

Power lines often cover a long distance and thus may affect many people. According to EUB legislation, anyone who may be directly and adversely affected by a proposed transmission line is entitled to receive direct notice of the application and have the opportunity for their concerns to be addressed. To deliver on this mandate, the EUB usually publishes a Notice for Objection in a local newspaper distributed near the proposed facility and in major Alberta daily newspapers. Copies of the notice are also generally mailed directly to known potentially affected parties.

The public can get copies of the company's application directly from the applicant or read it at EUB Information Services (see contact information on page 10) between 9 a.m. and 3 p.m. weekdays.

STEP 5: Public Intervention

In response to the Notice for Objection, those with concerns about the proposal should submit their views in writing to the EUB. They then become interveners. Interveners often include landowners, renters, and groups or associations that wish to present a collective point of view, such as municipalities. A written submission

(or "intervention") is usually a letter or other written document that clearly outlines the intervening views and concerns about the application and states how the intervener thinks the application should be dealt with. The intervener's views may support or oppose the application and may suggest changes. Submissions must be received at the EUB office by the date and time set out in the Notice for Objection.

Financial Assistance for Interveners

People deemed to be directly affected by a proposed transmission line may be reimbursed for reasonable costs incurred in making an intervention at an EUB public hearing. Details regarding interveners' costs are described in *EUB Guide 31: Guidelines Respecting Applications for Local Interveners' Costs Awards*.

STEP 6: More Consultation and Negotiation

After the EUB receives submissions, staff may encourage the applicant and interveners to meet in order to try to resolve any outstanding issues. EUB experience shows that many issues between applicant and intervener can be resolved through early negotiations. Indeed, more "win-win" situations result from early or intermediate negotiations than from the hearing process. Any unresolved matters are usually be addressed at a public hearing.

STEP 7: The Public Hearing Process

The EUB's public hearing process provides an opportunity for those involved to express their views directly to a Board panel. Concerns often include

- the need for the transmission line or project,
- the location of the transmission line or project,
- its impacts on residents and the environment,
- its impacts on agricultural operations,
- its visual impacts,
- the cost of the proposed facilities,
- technical issues, and
- safety matters.

The EUB schedules the hearing and publishes a Notice of Hearing in newspapers in the local area to notify those who may be interested. Included in the notice is a date for filing interventions, usually two to four weeks after the date of the notice. For people who wish to appear at the hearing, this provides time to comment on the proposal and prepare a written submission. If objections are likely, the EUB will sometimes set a hearing date for a major transmission line application, even though no one has filed an actual intervention.

Anyone with valid concerns about the project may file a written submission and participate in the hearing proceedings. Interveners must be at the hearing in order to present evidence on their position. They may represent themselves or be represented by lawyers and/or other technical experts. Any member of the public may attend a public hearing to observe.

Hearings are usually held in or near the area that will be affected by the proposed project at times and places convenient for those involved. When public hearings are not held locally, interveners may be reimbursed for reasonable travel expenses (see Step 5).

STEP 8: The Decision

After an EUB hearing of an application, the Board has three options in reaching a decision: approve the application, approve it with conditions, or deny it. The decision is released within several weeks or months after the close of the hearing, depending on the complexity of the issues. Decisions are issued in the form of a public written report that summarizes the Board's findings and includes its final decision. All hearing participants receive a copy of the report directly from the EUB. The EUB may even decide to issue a news release on the decision. Decision reports are also available from EUB Information Services and on our Web site (see EUB Contact Information).

STEP 9: Construction and Operation

Companies involved in building power lines in Alberta must adhere to Board decisions and conditions. If you notice something during the construction and/or operation phases of a power line project that concerns you, do not hesitate to bring it to the company's attention. If you are not satisfied with the response you receive, contact the EUB Utilities office in Calgary. An EUB staff member will look into your concern.

Power Points to Ponder...

What's a kilovolt (kV)?
A kilovolt is equal to 1000 volts. A volt is the measurement of force required to move electric energy along a transmission line. Most homes in Alberta are wired for 110 or 220 volts.

How many kilometres of transmission lines exist in Alberta?
In Alberta there are currently about 21 000 km of transmission lines. These do not include about 170 000 km of smaller distribution lines (used to transmit power 60 kV and under).

What's the length of the longest line in Alberta?
The 240 kV line from Whitefish to Mildred Lake (Fort McMurray) is 324 km long.

Who uses the most electricity?
Alberta's large industrial consumers use more electricity than all commercial (e.g., business, hospitals, schools), farm, and residential customers combined.

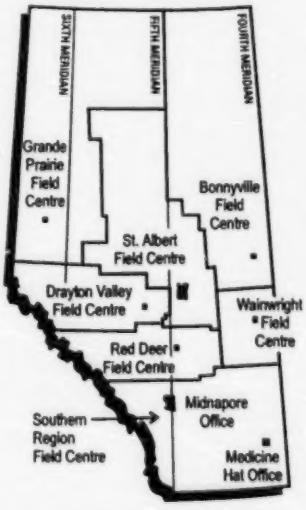
FURTHER RESOURCES

EUB Contact Information

EUB Utilities Branch
(Calgary Office)
640 – 5 Avenue SW
Calgary AB T2P 3G4
Telephone: (403) 297-3590*
Fax: (403) 297-6104

EUB Field Centres

Bonnyville	(780) 826-5352*
Drayton Valley	(780) 542-5182*
Grande Prairie	(780) 538-5138*
Red Deer	(403) 340-5454*
St. Albert	(780) 460-3800*
Wainwright	(780) 842-7570*
Southern Region	
Medicine Hat	(403) 527-3385*
Midnapore	(403) 297-8303*



EUB Information Services
640 – 5 Avenue SW
Calgary AB T2P 3G4
Telephone: (403) 297-8190*

EUB Web site:
www.eub.gov.ab.ca

* To call toll free from anywhere in Alberta, dial 310-0000 and enter the 7-digit local number to connect, or press zero for a RITE operator.

Other Important Contacts

On land compensation and negotiation

Surface Rights Board
Phipps-McKinnon
Building, 18th floor
10020 – 101a Avenue
Edmonton AB T5J 3G2
Telephone: (403) 427-2444*

On land conservation and reclamation

Alberta Environment
Oxbridge Place, 3rd floor
9820 – 106 Street
Edmonton AB T5K 2J6
Telephone: (403) 427-6212*

Useful Web Sites

EUB	**www.eub.gov.ab.ca**
Alberta Department of Resource Development	**www.resdev.gov.ab.ca**
ATCO Electric	**www.atcoelectric.com**
EPCOR	**www.epcor-group.com**
ENMAX	**www.enmax.com**
Lethbridge Power	**www.city.lethbridge.ab.ca/profile/06.htm**
Power Pool of Alberta	**www.powerpool.ab.ca**
Red Deer Electric Light and Power	**www.city.red-deer.ab.ca/cityservices/cityservicesindex.html**
TransAlta Utilities Ltd.	**www.transalta.com**
Transmission Administrator (ESBI)	**www.eal.ab.ca**

Helpful Publications

From the Surface Rights Board

The Land Surface Conservation and Reclamation Act and Regulations

Minimum Reclamation Requirements for Public and Private Lands in Alberta

From the EUB

*Guide 17-2: Well Site Selection and the Surface Owner**

Guide 17-3: Pipelines and Surface Rights— A Guide for Landowners and Occupants

*Guide 29: Hearings and Inquiries**

*Guide 31: Guidelines Respecting Applications for Local Interveners' Costs Awards**

*Guide 61: How the EUB Responds to Utility Customer Service Complaints**

* Available on the EUB Web site: http://www.eub.gov.ab.ca

November 2000 edition